

**TOWN PLAN AND ZONING COMMISSION MEETING MINUTES
MONDAY, AUGUST 4, 2014 – LEGISLATIVE CHAMBER, ROOM 314,
TOWN HALL, WEST HARTFORD, CT 06107**

CALL TO ORDER/ROLL CALL: 7:00 P.M.

MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.

ATTENDANCE: Kevin Prestage, Vice Chair; Commissioner: Michael Seder, Paul Freeman; Alternate: Liz Gillette; Todd Dumais, Town Planner/Secretary to TPZ; Catherine Dorau, Associate Planner; Patrick Alair, Corporation Counsel.

ABSENT: Chair: Kevin Ahern; Commissioner: Jeffrey Daniels; Alternates: John O'Donnell and Michele Maresca.

ADJOURNMENT: Motion/Prestage; Second/Seder (Gillette seated for Ahern) Vote: (4- 0). Meeting adjourned at 9:50 p.m.

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MINUTES:

1.Approval of Minutes:

- a. Minutes of Regular Meeting, Wednesday, June 11, 2014. (Motion/Seder; Second/Gillette (Gillette seated for Ahearn) (Freeman abstained) Vote: 3-0.
- b. Minutes of Regular Meeting, Monday, July 2, 2014. Tabled to September 3, 2014 meeting.

COMMUNICATIONS:

2014 Woodridge Lake and Wood Pond Fall Drawdown – Woodridge Lake Association requests permission to drawdown both Woodridge Lake and Wood Pond by thirty (30) inches from about September 26, 2014 to November 23, 2014 as part of their fall maintenance program.

After a brief review of the communication and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (4-0)** (Motion/Freeman; Second/Seder)(Gillette seated for Ahern) to receive the Association's notice of annual drawdown.

1. The Association is authorized to draw down both Woodridge Lake and Wood Pond by 30 inches. The drawdown will commence around September 26, 2014. The activity is consistent with the approved fall maintenance program.

2. Water release should be regulated and monitored to prevent adverse flooding impact downstream, in particular to the Buena Vista Golf Course and associated pond.
3. One week prior to draw down, the Woodridge Lake Association should provide notice to Al Adaskavage, Greenskeeper of Buena Vista Golf Course.
4. The Association should submit a summary report to the Town Planner for referral to the Wetland Agency on the effects of the 30" drawdown.

NEW BUSINESS:

15 Fernbrook – Application (IWW #1006) of Ralph S. Cohen (R.O.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area (Trout Brook). The applicant proposes to construct a raised deck (approximately 264 sq. ft.) attached to the front of the home and the remediation of approximately 90 feet of stream bank along the Trout Brook at the rear of the property. (Submitted for IWWA receipt on August 4, 2014. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (4-0)** (Motion/Seder; Second/Freeman) (Gillette seated for Ahern) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Wednesday, September 3, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

60 Brook Street, 20 & 26 Brook Street – Application (IWW #1007) of H-K Connecticut Holding Company requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on August 4, 2014. Suggest required public hearing be scheduled for September 3, 2014.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (4 -0)** (Motion/Freeman; Second/Seder)(Gillette seated for Ahern) to schedule this matter for public hearing on **Wednesday, September 3, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

60 Brook Street – Application (IWW #1004) of H-K Connecticut Holding Company requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area (Jacobs Brook). The applicant proposes to conduct an approximately 875 s.f. soil remediation project within the 150' upland review area. (Submitted for IWWA receipt on August 4, 2014. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (4-0)** (Motion/Seder; Second/Freeman) (Gillette seated for Ahern) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Wednesday, September 3, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

667 Mountain Road – Application (IWW #1008) Benjamin and Mary Chepovsky, R.O.s (Michael Mastroluca, P.E.) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on August 4, 2014. Suggest required public hearing be scheduled for September 3, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (4-0)** (Motion/Seder; Second/Freeman) (Gillette seated for Ahern) to set this matter for public hearing on **Wednesday, September 3, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

667 Mountain Road – Application (IWW #1009) Benjamin and Mary Chepovsky R.O.s (Michael Mastroluca, P.E.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area (Hart Meadow Brook). The applicant proposes to remove the impairments/obstructions in the brook and stabilize the soil on the east and north side of the home with plantings. (Submitted for IWWA receipt on August 4, 2014. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (4-0)** (Motion/Seder; Second/Freeman) (Gillette seated for Ahern) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Wednesday, September 3, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

800 Flatbush Avenue – Application (SUP #1264) of the West Hartford Youth Football League (Helen Rubino-Turco, Director of Leisure Services, Town of West Hartford) seeking a Special Use Permit to install a 12'x16' pre-fab storage shed at Sterling Field. The shed will be used for storage for the West Hartford Youth Football League. (Submitted for TPZ receipt on August 4, 2014. Suggest required public hearing be scheduled for September 3, 2014.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (4 -0)** (Motion/Seder; Second/Freeman) (Gillette seated for Ahern) to schedule this matter for public hearing on **Wednesday, September 3, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

OLD BUSINESS SCHEDULED FOR DECISION ON AUGUST 4, 2014:

90 Raymond Road - Application (SUP #1258) of the Delamar West Hartford, LLC (Robin Pearson, Attorney) seeking a Special Use Permit to authorize two (2) outdoor dining areas totaling ninety eight (98) seats associated with a proposed restaurant to be located within the proposed six story hotel. (Submitted for TPZ receipt on May 5, 2014. Required public hearing scheduled for Joint hearing with the Plan and Zoning Commission and the Town Council on May, 27, 2014. Public hearing closed on May 27, 2014 and decision tabled to July 2, 2014 and further postponed to August, 4, 2014.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (4-0)** (Motion/Freeman; Second/Gillette)(Gillette seated for Ahern) to **APPROVE** the subject application. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of and 177.37.2 of the West Hartford Code of Ordinances.
2. Plans on file shall guide the appearance and operation of the outdoor dining area.
3. The applicant shall comply with the operational statement submitted as part of the application. The operational statement shall be stripped onto the final plan.
4. Pursuant to West Hartford Code of Ordinances Section 177-42A(8), the applicant shall return to the TPZ by August 2016 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
5. This letter of approval shall be stripped onto the final plan.

OLD BUSINESS SCHEDULED FOR PUBLIC HEARING AND DECISION ON AUGUST 4, 2014:

At its regular meeting of Monday, August 4, 2014, the West Hartford Town Plan and Zoning Commission gave consideration to the following items:

137 North Main Street – Application (SUP #1261) of American School for the Deaf (“ASD”) (Timothy Hollister, Attorney) requesting Special Use Permit approval to allow Parcels 2 and 3 as rear lots as part of a subdivision of 44.1 acres. Parcel 2 and Parcel 3 comply with the requirements of Zoning Regulations 177-2 with respect to the expanded dimensions and setbacks of a rear lot. (Submitted for TPZ receipt on July 2, 2014. Required public hearing scheduled for August 4, 2014.)

137 North Main Street – Application (SUB #294) of American School for the Deaf (“ASD”) (Timothy Hollister, Attorney) requesting approval of a three (3) lot subdivision of the 44.1 acre parcel. ASD proposes to divide its land into three (3) lots. Parcel 1 comprised of 28.3 acres will be the ASD campus. Parcel 2 comprised of 7.1 acres (the Boatner parcel) will be purchased by Montessori School of Greater Hartford, the current lessee. Parcel 3, the “Cogswell Building,” which is comprised of 8.64 acres will be listed for sale. (Submitted for TPZ receipt on July 2, 2014. Required public hearing scheduled for August 4, 2014.)

After a brief review of the applications and their related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (4 -0)** (Motion/Freeman; Second/Seder)

(Gillette seated for Ahern) to continue the public hearings to **Wednesday, September 3, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

2 Ferncliff Drive - Application (IWW #1005) of ZAP Group, LLC (Michelle LeConche, R.O.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area (Hart Meadow Brook). The applicant proposes the construction of an approximately 2,200 sf single family home on the 1.19 acre parcel along with associated site improvements. In addition to site grading, the proposal includes a paved driveway, clearing of the rear yard, removal of trees, drainage improvements and connecting to sanitary sewer. (Submitted for IWWA receipt on July 2, 2014. Determined to be potentially significant and set for public hearing on August 4, 2014. Applicant requested a postponement to September 3, 2014.)

After a review of the applicant's letter for request to postpone the public hearing, the IWWA acted by **unanimous vote (4-0)** (Motion/Freeman; Second/Seder) (Gillette seated for Ahern) to postpone this matter for public hearing to **Wednesday, September 3, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

340 North Main Street aka 316-340 North Main Street – Application (SUP #1222-R1-14) of Core Ventures, LLC dba Anytime Fitness (R. Scott Regina, Applicant) requesting TPZ review pursuant to Section 177-42A(8) of the West Hartford Code of Ordinances of the conditions of SUP #1222 approved on October 1, 2012. The approval allowed Anytime Fitness to be opened to members-only between the hours of 2:00 am and 5:00 am pursuant to Section 177-37.1. (Submitted for TPZ receipt on July 2, 2014. Required public hearing scheduled for August 4, 2014.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (4-0)** (Motion/Freeman; Second/Gillette)(Gillette seated for Ahern) to determine that the applicant is compliant with its conditions of approval and that **no supplemental conditions are necessary.**

2 Ferncliff Drive - Application (IWW #1005) of ZAP Group, LLC (Michelle LeConche, R.O.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area (Hart Meadow Brook). The applicant proposes the construction of an approximately 2,200 sf single family home on the 1.19 acre parcel along with associated site improvements. In addition to site grading, the proposal includes a paved driveway, clearing of the rear yard, removal of trees, drainage improvements and connecting to sanitary sewer. (Submitted for IWWA receipt on July 2, 2014. Determined to be potentially significant and set for public hearing on August 4, 2014. Applicant requested a postponement to September 3, 2014.)

After a review of the applicant's letter for request to postpone the public hearing, the IWWA acted by **unanimous vote (4-0)** (Motion/Freeman; Second/Seder) (Gillette seated for Ahern) to postpone this matter for public hearing to **Wednesday, September 3, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

85 Memorial Road (aka 111 Memorial Road) – Rizzuto’s Italian Restaurant & Bar –

Application (SUP #1111-R2-14) of William Rizzuto, Restaurant Owner (Blue Back Square, LLC, R.O.) requesting Special Use Permit approval to authorize an increase in the outdoor dining area from forty-eight seats (48) to fifty-two (52) seats. A portion of the outdoor dining will be relocated to the front of the restaurant. (Submitted for TPZ receipt on June 2, 2014. Required public hearing scheduled for July 2, 2014. Applicant requested a postponement to August 4, 2014.

Request for postponement to September 3, 2014.) Postponement granted Motion/Seder; Second/Freeman (Gillette seated for Ahern); Vote: 4-0.

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